



June 11, 2002

**PLACER COUNTY
AIR POLLUTION CONTROL DISTRICT**

BURNING PERMIT ADVISORY NOTICE

The Placer County Air Pollution Control District (District) has prepared this notice to advise current holders of air pollution burn permits, previous burn permit holders, and burn permit applicants, about changes in permitting policies to conform to District regulations and State law.

In reviewing the burn permits previously issued by the District, we have found that in many cases a burn permit should not have been issued since the burning does not fit into a legally permissible class of burning. For example, the District has issued permits for the burning of vegetative material that does not fit the true definition of "hazard reduction burning" and therefore is not allowed. Pursuant to California Health and Safety Code Section 41801, and District Rule 321, hazard reduction burning is only permissible when a Public Officer with jurisdiction determines that a condition exists in which a fire or health hazard will have an imminent effect on life and property and that the hazard cannot be abated by any other means than controlled burning.

The burning of vegetative material which has occurred is often done as part of routine maintenance or for waste disposal purposes – not for fire hazard reduction purposes as directed by a Public Officer, such as a Fire Chief. Examples of those who have been allowed to burn in the past, but which really should not have been allowed to burn, include schools, parks, churches, mobile home parks, cemeteries, businesses, properties without structures, homeowner associations, and golf courses.

State law and District regulations allow burning on burn days of vegetative material to comply with local ordinances that require clearing to reduce fire hazards, however such ordinances usually address only the clearing of vegetation in the immediate vicinity of structures. Vegetation from general property maintenance and fire hazard reduction away from structures is removed at the discretion of the property owner, unless ordered by a public official to reduce a fire hazard, and the burning of this material is not provided for or allowed by state law. The burning of vegetation at the order of a public official to reduce fire hazards and that cannot be abated by other means requires a District permit. Residents of single or two family dwellings can also burn paper and cardboard in compliance with District and fire agency requirements, a practice that is to be phased-out by 2004 under recently adopted State regulations. General waste and trash is not to be burned under any circumstances. Non-residential burning that is conducted without a District burn permit is illegal and the District may take enforcement action to halt the violation. Violations may result in civil or criminal enforcement action, including monetary penalties.

Henceforth, no permit will be issued for any proposed burning that does not fit a legal burn category, even though a permit may have been issued for the same type of burning in the past. A listing of allowed burning activities and burning alternatives is provided on the back of this notice.

If you have any questions, please call Todd Nishikawa, Acting Air Pollution Control Officer, at **(530) 889-7130**.

LEGALLY PERMISSIBLE BURNING ALLOWED UNDER THE
PLACER COUNTY AIR POLLUTION CONTROL DISTRICT
RULES AND REGULATIONS AND STATE LAW

Except for Residential Allowable Burning and Recreational Burning, all open burning requires a burn permit from the Placer County Air Pollution Control District. The payment of all applicable permit fees is required for a permit to be valid.

1. **AGRICULTURAL BURNING:** The use of open outdoor fires used in agricultural operations in the growing of crops (e.g. plants or fruit/nut trees or christmas tree farm prunnings or a nursery or raising of fowl or animals) for the primary purpose of making a profit or providing a livelihood.
2. **RANGE IMPROVEMENT BURNING:** The use of open outdoor fires to remove vegetation for a wildlife, game or livestock habitat, or for the initial establishment of an agricultural practice on previously uncultivated land.
3. **FOREST MANAGEMENT BURNING:** The use of open outdoor fires, as part of a forest management practice, clean up of vegetation after a timber harvest, tree farm activities or silvicultural practices related with managing timber/forest including prescribed burning.
4. **WILDLAND VEGETATION MANAGEMENT BURNING:** The use of prescribed burning conducted by a public agency or through a cooperative agreement or contract involving a public agency to burn land predominantly covered with chaparral, trees, grass or standing brush.
5. **LAND DEVELOPMENT BURNING:** The use of open outdoor fires for the disposal of vegetative material (woodwaste) grown on property being developed for commercial or residential purposes. Woodwaste greater than 12 inches in diameter, with the exception of stumps shall not be included in the burn. Stumps greater than 12 inches in diameter at the cut shall not be included in the burn unless split at least in half and free of dirt.
6. **RIGHT OF WAY CLEARING AND LEVEE, DITCH, AND MAINTENANCE BURNING:** The use of open outdoor fires for the disposal of vegetative material and woodwaste debris for right-of-way clearing by a public entity or for levee, ditch or reservoir maintenance.
7. **HAZARD REDUCTION BURNING:** The use of open outdoor fires to reduce a fire hazard or health hazard which will have an imminent effect on life and property as determined by a Public Officer with jurisdiction. Burning to dispose of brush cuttings on the property where the brush was grown when the cuttings resulted from brush clearance done in compliance with local ordinances to reduce fire hazard.
8. **RESIDENTIAL ALLOWABLE BURNING:** The use of open outdoor fires, including the use of a burn barrel to burn materials originating from a single or two family dwelling on its premises, limited to the following items: dry paper, dry cardboard, dry tree trimmings, dry leaves and pine needles, dry plants and dry weeds.
9. **RECREATION OPEN FIRES:** The use of open outdoor fires for recreational purposes or for the cooking of food for human consumption.

